

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH 8

BROWN COUNTY

THE LOCAL GOVERNMENT PROPERTY
INSURANCE FUND, a Wisconsin corporation

Plaintiff,

Case No.: 07-CV-183

vs.

Code: 30201 and 30303

SPIRTAS WRECKING COMPANY,
A Missouri corporation,

Defendants.

NOTICE OF REMOVAL

To the Honorable William C. Griesbach, Judge of the United States District Court for the Eastern District of Wisconsin in Green Bay, Wisconsin:

The removing party, Spirtas Wrecking Company, by its undersigned attorney, respectfully show the Court:

1. The removing party is a defendant in the above-entitled action.
2. On January 24, 2007, the above-entitled action was filed against the removing party in the Circuit Court of Brown County, Wisconsin, as Case No. 07-CV-183 and is now pending in that Court.
3. On February 28, 2007, the removing party, Spirtas Wrecking Company, was served with the Summons and Complaint. Spirtas Wrecking Company was served by the sheriff of the City of St. Louis, Missouri. This Notice is filed within 30 days after such service.
4. The plaintiff in this action alleges that it paid damages to its insured, The City of Green Bay, as a result of Spirtas Construction Company's demolition work at Lambeau Field. The amount of controversy, exclusive of interest and costs, exceeds \$75,000, specifically, the complaint seeks recovery of the sum of \$200,000.00.

5. The plaintiff is an insurance corporation incorporated in and with its principal place of business in Wisconsin. The defendant, Spirtas Wrecking Company, is incorporated in and has its principal place of business in the State of Missouri.

6. Pursuant to 28 USC § 1332 and 28 USC § 1441, the removing party is entitled to removal of this action from the Circuit Court for Brown County, Wisconsin, to the United States District Court for the Eastern District of Wisconsin because the amount in controversy exceeds \$75,000 and there is complete diversity of citizenship between the plaintiff and the removing party.

7. Copies of the process, pleadings, and orders served on the removing party in the above-entitled Brown County, Wisconsin, action are attached hereto as Exhibits A and B.

WHEREFORE, the removing party requests that the above-entitled action be removed from the Circuit Court for Brown County, Wisconsin, to this Court.

Dated this 22nd day of March, 2007.

s/Keith W. Kostecke
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